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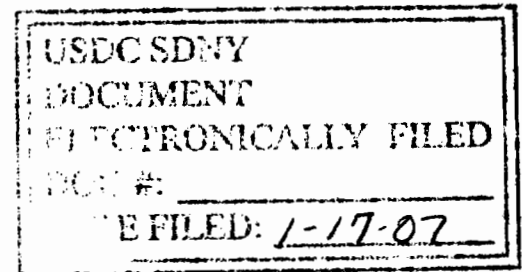
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January 15, 2008

VIA UPS OVERNIGHT

Honorable Jed S. Rakoff
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: Local 580 v. D.F.S.
Civil Action No.: 07 civ 5463(JSR)
Our File No.: 4003-899

Dear Judge Rakoff:

This firm represents the Plaintiffs in the above matter. I recently filed and served a Contempt Motion, originally returnable on December 17, 2007 at 5:00 p.m., (but now returnable on January 17, 2008) for the defendants' failure to submit to an audit of its books and records for the period October 1, 2005 to the present. The motion was adjourned in order to give the audit process time to proceed. In consultation with the Funds Auditor yesterday, I am now confident that the company will fulfill its obligations to completing the audit, as the company has thus far produced all documents so far requested. Accordingly, I request that the contempt motion be withdrawn, without prejudice.

Please let me know how you would like to proceed.

Very truly yours,

COLLERAN, O'HARA & MILLS L.L.P.

By: 

DENIS A. ENGEL

cc: D.F.S./Maspeth

→ SO ORDERED


JSDJ

1-16-08